

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

CODY CHESTNUT

Plaintiff

v.

C.O. JOHN SMITH, *et al.*

Defendants

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CIVIL ACTION NO. 3:18-2373

(JUDGE MANNION)

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS**

HEREBY ORDERED THAT:

1. The complaint (Doc. 1) is **DEEMED FILED**.
2. Plaintiff's action is **DISMISSED** as legally frivolous pursuant to 28 U.S.C. §1915(e)(2)(B)(i).
3. The Clerk of Court is directed to **CLOSE** this case.
4. Plaintiff's motion for appointment of counsel (Doc. 7) is **DISMISSED** as moot.
5. Any appeal from this Order will be deemed frivolous, without probable cause and not taken in good faith.

s/Malachy E. Mannion

MALACHY E. MANNION
United States District Judge

Date: January 18, 2019

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